

**Broadcast Media
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A service of McCabe & Allen

February 12, 1991

RECEIVED

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

FEB 12 1991

Federal Communications Commission
Office of the Secretary

Re: Petition for Rule Making
Table of Allotments, §73.202(b)
Ladysmith, Wisconsin
BMLS #C16

Dear Ms. Searcy:

On behalf of Flambeau Broadcasting Company, Licensee of Station WLDY-FM, Ladysmith, Wisconsin, there is transmitted herewith an original plus four (4) copies of a Petition for Rule Making for substitution of Channel 226A for Channel 224A at Ladysmith, Wisconsin.

Should there be any question concerning the attached Petition for Rule Making, please contact the undersigned.

Very truly yours,


Denise B. Moline

DBM:wp
Attachment

RECEIVED

BEFORE THE

Federal Communications Commission

FEB 12 1991

WASHINGTON, D.C.

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of Section 73.202(b)) RM - _____
Table of Allotments)
FM Broadcast Stations)
(Ladysmith, Wisconsin))

To: The Commission

PETITION FOR RULE MAKING

FLAMBEAU BROADCASTING COMPANY ("Flambeau"), Licensee of Station WLDY-FM, by Counsel, hereby respectfully submits the instant Petition for Rule Making for substitution of Channel 226A for Channel 224A at Ladysmith, Wisconsin, and for modification of the License of Station WLDY-FM for operation on the substituted Channel. In support whereof, the following is shown:

1. Substitution of second adjacent channel 226A for existing Channel 224A will result in alleviation of an existing grandfathered short-spacing situation between Station WLDY-FM and the co-channel allocations to Tomahawk, Wisconsin and Neillsville, Wisconsin.

2. Additionally, substitution of the requested channel will permit WLDY-FM to increase its effective radiated power to 6 kW, thereby increasing its signal strength and coverage area, providing better service to the community of Ladysmith, Wisconsin, and the surrounding areas. Alleviation of the

existing short-spaced allocation, and the potential for better service warrant substitution of the requested Channel to Ladysmith.

3. Channel 226A can be allocated to Ladysmith in compliance with the Commission's minimum distance separation requirements at the site specified by Flambeau as demonstrated in the attached engineering statement.

4. Flambeau also requests that its License for WLDY-FM be modified in accordance with §1.420(g) of the Commission's Rules, which will permit such modification without acceptance of competing expressions of interest or competing applications. Pursuant to that Rule section, no demonstration of the availability of an additional equivalent channel at Ladysmith is necessary.

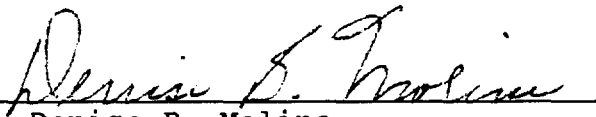
5. In the event that the Commission grants the instant Petition and substitutes Channel 226A to Ladysmith, Wisconsin, Flambeau intends to apply for modification of its license forthwith, and begin operating on the substituted channel as soon as its modification application is approved by the Commission.

WHEREFORE, the foregoing considered, Flambeau respectfully requests that the Commission GRANT the instant Petition for substitution of channels at Ladysmith, WI as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Ladysmith, Wisconsin	224A, 279C	226A, 279C

Respectfully submitted,

FLAMBEAU BROADCASTING COMPANY

By: 
Denise B. Moline
Its Attorney

Broadcast Media Legal Services
P.O. Box 1667
Manassas Park, VA 22111

(703) 361-2278

February 12, 1991

ENGINEERING EXHIBIT FOR
FLAMBEAU BROADCASTING CO.
LADYSMITH, WISCONSIN

This engineering exhibit was prepared in support of a petition for rulemaking being filed by Flambeau Broadcasting Co. to amend 47 CFR 73.202 as follows.

Presently, Ladysmith, Wisconsin is allotted FM channels 224A and 279C. Flambeau Broadcasting Co. proposes that the allotment of channel 226A be substituted for channel 224A at Ladysmith and that the license of WLDY-FM be modified to specify operation on 226A rather than 224A. Flambeau Broadcasting Co. is the licensee of WLDY-FM.

Flambeau Broadcasting Co. will enact this change as soon as the allocation and license are modified. Please note that this proposal will result in a full-spaced "6 KW" class-A allocation at Ladysmith rather than the grandfathered situation which exists now. This channel change will eliminate the short-spacing to Tomahawk, WI (224A) and Neillsville, WI (224A), which is clearly in the public interest. As of this writing, the Tomahawk allocation has been changed to 223C3 but WJJQ-FM, the station assigned to the channel, has not yet been issued a license for the channel.

The WLDY transmitter can operate at the necessary power level, and all that is necessary is an antenna change. Channel 226A can be allocated to Ladysmith using present (6 KW) spacings at the WLDY-FM transmitter site, as shown on the

Mueller Broadcast Design

613 S. LaGrange Rd
LaGrange, IL 60525

attached table of spacings and site area map.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Ladysmith, WI	224A, 279C	226A, 279C

This engineering exhibit was prepared by me and is true
and correct to the best of my knowledge and belief.

December 31, 1990

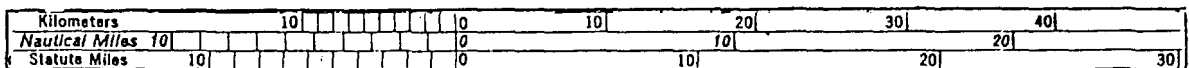
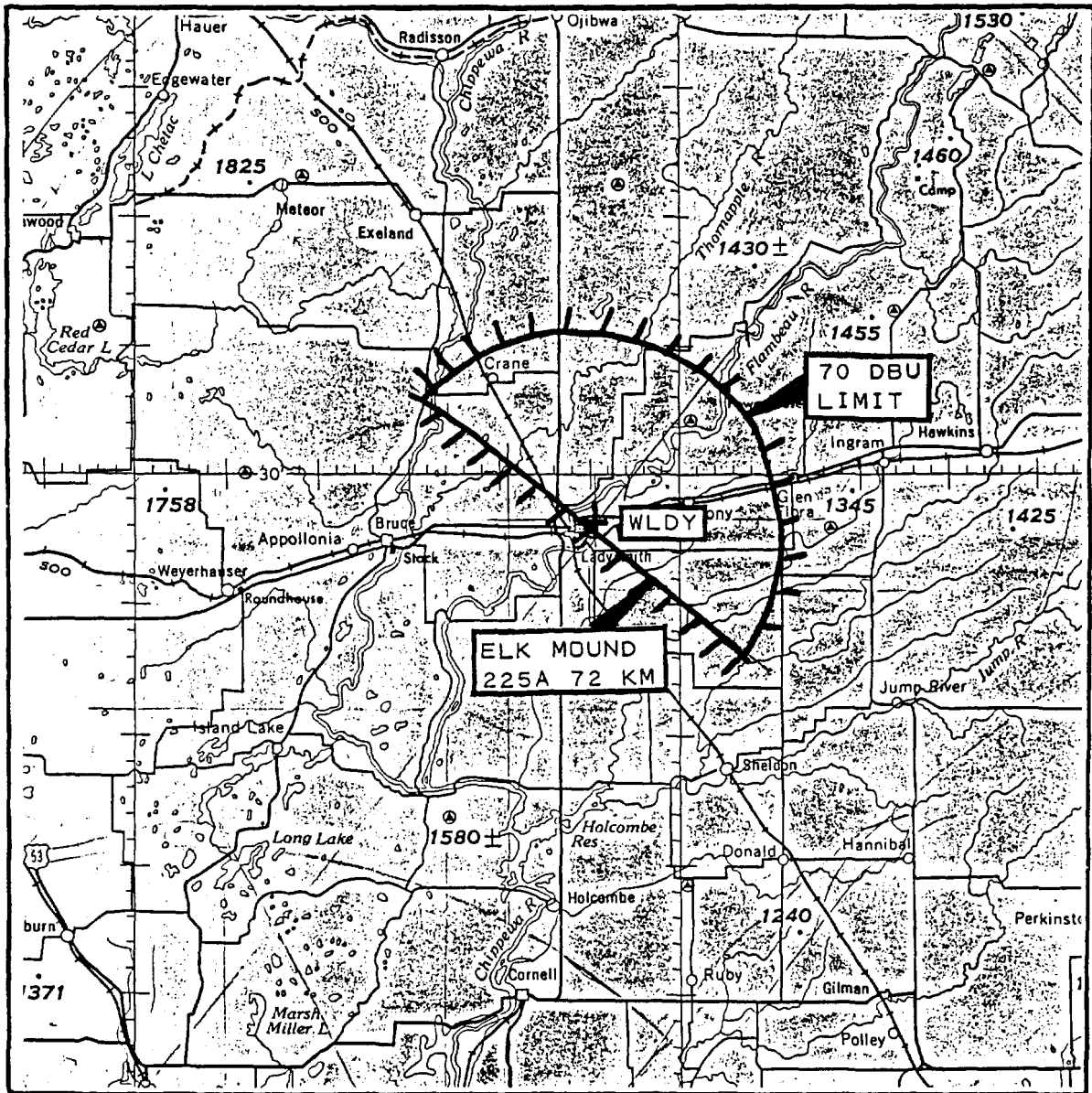
Mark A. Mueller

Mark A. Mueller

ALLOCATION STUDY

FM CHANNEL 226A

LADYSMITH, WISCONSIN



SCALE 1:500000

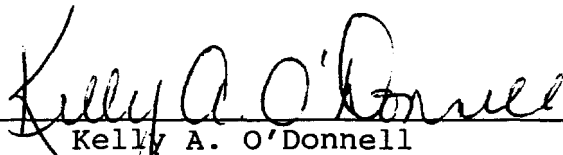
FIGURE

CH#	Call	File	Location	Class	Actual	FCC	Notes
-----Spacing-----							
223	(92.5 MHz)						
PRM			TOMAHAWK	WI	C3	106.2	96 Class C 10.2 @ 88.1°
KQRSFM	CP		GOLDEN VALLEY	MN	C	166.5	105 Class C
KQRSFM	LIC		GOLDEN VALLEY	MN	C2	185.9	98 Class C
224	(92.7 MHz)						
WLDYFM	LIC		LADYSMITH	WI	A	0.0	
NEW	APP		NEILLSVILLE	WI	A	104.7	95 Class C 9.7 @ 159.0°
WJJOFM	DEL		TOMAHAWK	WI	A	106.2	95 Class C 11.2 @ 88.1°
PRM	DEL		TOMAHAWK	WI	A	106.2	95 Class C 11.2 @ 88.1°
	ALL		NEILLSVILLE	WI	A	106.7	95 Class C 11.7 @ 158.9°
NEW	APP		NEILLSVILLE	WI	A	107.6	95 Class C 12.6 @ 161.9°
225	(92.9 MHz)						
NEW	CP		ELK MOUND	WI	A	72.6	72 Class A 0.6 @ 219.2°
WSCDFM	LIC		DULUTH	MN	C1	167.2	158 Class C2 9.2 @ 331.9°
226	(93.1 MHz)						
PRM			WAUTOMA	WI	A	210.2	200 Class C1 10.2 @ 137.0°
WIMK	LIC		IRON MOUNTAIN	MI	C1	240.4	224 Class C2 16.4 @ 79.5°
PRM	DEL		NEW HOLSTEIN	WI	A	281.3	226 Class C
KFKQ	DEL		NEW HOLSTEIN	WI	A	281.3	226 Class C
KXLP	LIC		NEW ULM	MN	C1	287.2	270 Class C 17.2 @ 239.8°
227	(93.3 MHz)						
WIZMFM	LIC		LA CROSSE	WI	C	186.0	176 Class C3 10.0 @ 187.0°
NEW	CP		NISSWA	MN	C	307.3	241 Class C
228	(93.5 MHz)						
WMZK	DEL		TO 281A;MERRI	WI	A	114.5	95 Class C 19.5 @ 110.3°
229	(93.7 MHz)						
	ALL		NEKOOSA	WI	A	158.5	95 Class C
NEW	APP		NEKOOSA	WI	A	160.2	95 Class C
KLXK	CP		MINNEAPOLIS	MN	C	166.5	105 Class C
KLXK	LIC		MINNEAPOLIS	MN	C1	173.5	101 Class C
279	(103.7 MHz)	All stations clear by more than 100 KM.					
280	(103.9 MHz)	All stations clear by more than 100 KM.					

CERTIFICATE OF SERVICE

I, Kelly A. O'Donnell, secretary in the law firm of McCabe & Allen, hereby certify that I have caused to be served this 12th day of February, 1991, a copy of the foregoing "Petition for Rule Making" by hand delivery on the following:

Andrew J. Rhodes
Acting Chief, Allocations Branch
Policy and Rules Division
Federal Communications Commission
2025 M Street, N.W., Room 8322
Washington, D.C. 20554



Kelly A. O'Donnell